

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

SEP 3 1993

David D. Oxenford, Esq.
Fisher, Wayland, Cooper
and Leader
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037-1170

92-309

Re: Local Television Associates, Inc.
New UHF TV Station
Jacksonville, North Carolina
Fee Control # 9204098170350001

Dear Mr. Oxenford:

This is in response to your request for refund of the fee submitted in the above-referenced matter.

Your request is granted. We have reviewed the facts surrounding your filing and have concluded that a refund is warranted pursuant to Section 1.1111 of the Commission's rules. 47 C.F.R. §1.1111. The subsection checked below is specifically applicable to your request.

- ☒ No fee is required for the above referenced submission (§1.1111(a)(1)).
- ☐ An insufficient fee has been submitted with the application/filing (§1.1111(a)(2)).
- ☐ The applicant cannot fulfill the prescribed age requirement (§1.1111(a)(4)).
- ☐ The Commission has adopted a new rule that has nullified the application after its acceptance for filing (§1.1111(a)(4)).
- ☐ A new law or treaty has rendered useless a grant or other positive disposition of the application (§1.1111(a)(4)).
- ☐ The application was not timely filed in accordance with the filing window as established by the Commission (§1.1111(a)(6)).
- ☐ In the case of a broadcast applicant, the application was granted without being designated for hearing (§1.1111(b)(1)).

- _____ In the case of a broadcast applicant, the application was dismissed prior to designation for hearing or in the order designating the case for hearing (§1.1111(b)(2)).
- _____ In the case of a broadcast applicant, the application was dismissed for failure to file a Notice of Appearance (§1.1111(b)(2)).
- _____ In the case of a broadcast applicant, the applicant was the only applicant in the proceeding to file a Notice of Appearance and the application was immediately grantable (§1.1111(b)(3)).
- _____ In the case of a broadcast applicant, the applicant was the only applicant in the proceeding who filed a Notice of Appearance and the application was immediately grantable upon deletion of a matter(s) specified in the designation order and requiring resolution (§1.1111(b)).
- X In the case of a broadcast applicant, a settlement agreement filed with the presiding judge by the Notice of Appearance deadline provided for the dismissal of all but the above-referenced application, and the application was immediately grantable (§1.1111(b)(4)).
- X In the case of a broadcast applicant, a settlement agreement filed with the presiding judge by the Notice of Appearance deadline provided for dismissal of all but the above-referenced application and the application was immediately grantable upon deletion of a matter(s) specified in the designation order and requiring resolution (§1.1111(b)(4)).

A check, made payable to the maker of the original check and drawn in the amount of \$6,760, will be sent to you at the earliest practicable time. If you have any questions concerning this refund, please contact the Chief, Fee Section at (202) 632-0241.

Sincerely,

Marilyn J. McDermott

Marilyn J. McDermott
Associate Managing Director
for Operations

Holly

9204098170350001

7/20/93

→ OM-Records

ORIGINAL

FMD-action

LAW OFFICES

FISHER, WAYLAND, COOPER AND LEADER

1255 TWENTY-THIRD STREET, N.W.

SUITE 800

WASHINGTON, D. C. 20037-1170

TELEPHONE (202) 659-3494

TELECOPIER (202) 296-6518

WRITER'S DIRECT NUMBER

BEN S. FISHER
(1890-1954)

CHARLES V. WAYLAND
(1910-1980)

OF COUNSEL
JOHN O. HEARNE

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MARTIN R. LEADER
RICHARD R. ZARAGOZA
CLIFFORD M. HARRINGTON
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KATHRYN R. SCHMELTZER
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SCOTT R. FLICK
FRANCISCO R. MONTERO
GREGORY L. MASTERS*
MATTHEW P. ZINN
ROBERT C. FISHER
LAUREN ANN LYNCH
BRIAN J. CARTER
GLENN S. RICHARDS
KELLY D. YAKSICH
JOHN M. BURGETT*
SHARON L. TASMAN*
THERESA A. SMYTH

(202) 775-3546

July 16, 1993

RECEIVED

JUL 16 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

*NOT ADMITTED IN D.C.

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Request for Refund of Hearing Fee
Local Television Associates, Inc.
Application for New UHF Television Station
at Jacksonville, North Carolina
FCC File No. BPCT-911106KF

Dear Mr. Caton:

On behalf of Local Television Associates, Inc. ("LTA"), this letter is to request a refund of the \$6,760 hearing fee paid by LTA in connection with the above-referenced application for authority to construct a new UHF television station on channel 35 at Jacksonville, North Carolina. The fee was timely filed on July 16, 1993. A copy of the LTA submission is attached as Attachment A hereto. A copy of the check submitted by LTA, as cancelled by the FCC, is submitted as Attachment B.


Three applicants for the Jacksonville channel paid their hearing fee and were designated for hearing in MM Docket No. 92-309. However, these parties reached a settlement prior to the date for filing notices of appearance in this proceeding. The other two parties, Charles Fitzgerald and Webber/Moore Broadcasting Company Limited Partnership, have already received fee refunds. Both parties dismissed their application in return

Mr. William F. Caton
July 16, 1993
Page 2

for monetary consideration. The application of LTA was granted. There were no issues specified in the Hearing Designation Order against LTA. Thus, a refund should be granted pursuant to Section 1.111(b)(4) of the Commission's rules.

Accordingly, LTA respectfully requests that the Commission refund the hearing fee in the amount of \$6,760 and forward a check in that amount to LTA care of this law firm. Should there be any questions concerning this matter, please contact the undersigned.

Sincerely,


David D. Oxenford
Matthew P. Zinn

DDO/vm
Enclosure
cc: Claudette E. Pride

9708-000

*original check
paid by
WFRI-TV8*

Note:

*I entered 2 in
name field
when looking up
"2" to*

ATTACHMENT A

LAW OFFICES

FISHER, WAYLAND, COOPER AND LEADER

1255 TWENTY-THIRD STREET, N.W.

SUITE 800

WASHINGTON, D. C. 20037-1170

TELEPHONE (202) 659-3494

TELECOPIER (202) 296-6518

WRITER'S DIRECT NUMBER

(202) 775-3546

April 7, 1992

RECEIPT COPY

BEN C. FISHER
GROVER C. COOPER
MARTIN R. LEADER
RICHARD R. ZARAGOZA
CLIFFORD M. HARRINGTON
JOEL R. KASWELL
KATHRYN R. SCHMELTZER
DOUGLAS WOLOSIN
BRIAN R. MOIR
DAVID D. OXENFORD
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BRIAN J. CARTER
GLENN S. RICHARDS*
KELLY D. YAKSICH*
ANDREW W. SHROYER*

FCC/MELLON
APR 07 1992

BEN S. FISHER
1890-1954

CHARLES V. WAYLAND
(1910-1980)

OF COUNSEL
JOHN O. HEARNE

MCI MAIL FWCLOC

*NOT ADMITTED IN D.C.

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Ms. Searcy:

Filed herewith, on behalf of Local Television Associates, Inc., is the hearing fee in connection with its application for a new UHF television station at Jacksonville, North Carolina. See FCC File No. BPCT-911106KF. This fee is submitted in response to the Commission's Notice of Acceptance for Filing of Commercial Television Broadcast Station Applications and Notice of Petition to Deny and Hearing Fee Deadlines, released January 24, 1992.

Submitted with this letter is a check in the amount of \$6,760.00. An FCC Form 155 also accompanies this request.^{1/}

1/ The Commission's staff has notified undersigned counsel that the fee filing code specified in the Notice of Acceptance for Filing was incorrect. The standard fee filing code for a hearing fee as set out in the Commission's Fee Filing Guide, is being utilized on this 155 form.

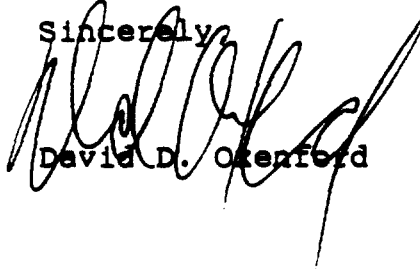
Ms. Donna R. Searcy, Secretary

April 7, 1992

Page 2

Should there be any questions concerning this matter, please contact the undersigned.

Sincerely,

A handwritten signature in dark ink, appearing to read "David D. Okenford", written over the printed name.

David D. Okenford

DDO/vm
Enclosure..

9708-000

Approved by OMB
3060-0440
Expires 2/28/93

FEDERAL COMMUNICATIONS COMMISSION
FEE PROCESSING FORM

FOR
FCC
USE
ONLY

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)

Local Television Associates, Inc.

MAILING ADDRESS (Line 1) (Maximum 35 characters - refer to Instruction (2) on reverse of form)

c/o Fisher Wayland: DDO

MAILING ADDRESS (Line 2) (If required) (Maximum 35 characters)

1255 23rd Street, N.W., Suite 800

CITY

Washington

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

STATE OR COUNTRY (If foreign address)

DC

ZIP CODE

20037

CALL SIGN

NEW

OTHER FCC IDENTIFIER

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)

(B)

(C)

| FEE TYPE CODE | | |
|---------------|---|-----|
| (1) | M | W T |

| FEE MULTIPLE (If required) | | | |
|-------------------------------|--|--|--|
| | | | |

| FEE DUE FOR FEE TYPE CODE IN COLUMN (A) |
|--|
| \$ 6,760.00 |

| FOR FCC USE ONLY |
|------------------|
| |

SECTION II — To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)

FEE TYPE CODE

(B)

FEE MULTIPLE
(If required)

(C)

FEE DUE FOR FEE TYPE
CODE IN COLUMN (A)

FOR FCC USE ONLY

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ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

| TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING |
|---|
| \$ 6,760.00 |

| FOR FCC USE ONLY |
|------------------|
| |

WFXI TV-8

004027

Federal Communications Commission
Filing Fees - *Jacksonville Channel 35*
4/6/92
\$6760.00

Per John Quincy

WFXI TV-8
COASTAL CAROLINA FOX
P.O. BOX 2088
MOREHEAD CITY, NC 28557

Branch Banking and Trust Company
Morehead City, NC

004027

00-112
531

CHECK NO.

4027

*6 Thousand 760 Dollars and 00/100**

DATE

4/6/92

AMOUNT

\$6760.00

BY
THE
DEB

Federal Communications Commission
Washington DC 20510

Leah V. Vester
AUTHORIZED SIGNATURE

⑈004027⑈ ⑆053101121⑆1231018626⑈



ATTACHMENT B

JUL 16 '93 12:02

WFXI-TV 8 FOX

790 P02

004027

WFXI TV-8
COASTAL CAROLINA FOX
P.O. BOX 2088
MOREHEAD CITY, NC 28557

Branch Banking and Trust Company
Morehead City, NC

05-112
531

CHECK NO.

4027

DATE

4/6/92

AMOUNT

\$6760.00

*5 Thousand 760 Dollars and 00/100**

100653459

04-05-92

005.02

0050.1

PAY
TO THE
ORDER
OF
Federal Communications Commission
Washington DC 20510

Stephen V. Vester
AUTHORIZED SIGNATURE

⑈004027⑈ ⑆053101121⑆1231018626⑈

⑈0000676000⑈

JUL 16 '93 12:03

WFXI-TV 8 FOX

790 P03

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00653459 04-04-92

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04300261 04300261-1700
CREDIT TO ACCOUNT OF
WITHOUT AGENCY FOR
OF ENDORSEMENT
MELLON BANK & TRUST CO.

04300261